UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/45/73
9 January 1991

Forty-fifth session
Agenda item 74

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political Committee (A/45/822)]

45/73. United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 44/47 A of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

READEX FICHE

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Reiterates its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), 2/ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1991;

5. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

6. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

65th plenary meeting
11 December 1990

B

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 44/47 B of 8 December 1989 and the previous resolutions on this question,

---

2/ See A/45/382, annex.

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East 3/ and adopted the recommendations contained therein,

Having considered the report of the Working Group, 4/

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Deeply concerned at the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the present minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

65th plenary meeting
11 December 1990

C

Assistance to persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 44/47 C of 8 December 1989 and all its previous resolutions on the question,

---

3/ A/36/866 and Corr.1; see also A/37/591.

4/ A/45/645.

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 44/47 C and all its previous resolutions on the question;

2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

65th plenary meeting
11 December 1990

D

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988 and 44/47 D of 8 December 1989,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General, 5/

5/ A/45/463.

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D and 44/47 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

E

Palestine refugees in the Palestinian territory occupied by Israel since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986, 42/69 E and J of 2 December 1987, 43/57 E of 6 December 1988 and 44/47 E of 8 December 1989,

Having considered the report of the Secretary-General, 6/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948, and considering that measures to resettle Palestine refugees in the Palestinian territory occupied by Israel since 1967 away from their homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

6/ A/45/464.

3. Requests the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. Also requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above.

65th plenary meeting
11 December 1990

F

Resumption of the ration distribution to Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984, 40/165 F of 16 December 1985, 41/69 F of 3 December 1986, 42/69 F of 2 December 1987, 43/57 F of 6 December 1988, 44/47 F of 8 December 1989 and all its previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Secretary-General, 7/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. Regrets that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F, 42/69 F, 43/57 F and 44/47 F have not been implemented;

2. Calls once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

7/ A/45/465.

3. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

G

Return of population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987, 43/57 G of 6 December 1988 and 44/47 G of 8 December 1989,

Having considered the report of the Secretary-General, 8/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

8/ A/45/466.

3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. Calls once more upon Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-sixth session, on Israel's compliance with paragraph 4 above.

65th plenary meeting
11 December 1990

H

Revenues derived from Palestine refugees' properties

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988, 44/47 H of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General, 9/

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1989 to 31 August 1990, 2/

Recalling that the Universal Declaration of Human Rights 10/ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

---

9/ A/45/429.

10/ Resolution 217 A (III).

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, 11/ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. Deplores Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

I

Protection of Palestine refugees

The General Assembly,

Recalling, in particular, recent Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

---

11/ Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.

Also recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 of 3 November 1988, 43/57 I of 6 December 1988 and 44/47 I of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 12/ and the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990), 13/

Having considered the report of the Secretary-General, 14/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 15/ and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907, 16/

Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report, 1/

Deeply distressed at the suffering of the Palestinian and Lebanese population which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

---

12/ S/19443.

13/ S/21919 and Corr.1.

14/ A/45/641.

15/ United Nations, Treaty Series, vol. 75, No. 973.

16/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 15/

2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General dated 21 January 1988 12/ and 31 October 1990; 13/

4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue his efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

5. Calls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon;

6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages to the Agency resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution.

65th plenary meeting
11 December 1990

J

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988 and 44/47 J of 8 December 1989,

Having considered the report of the Secretary-General, 17/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

65th plenary meeting
11 December 1990

K

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

---

17/ A/45/530.

Recalling its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/2 of 6 October 1989 and 44/47 K of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 12/ and the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990), 13/

Having considered the report of the Secretary-General, 18/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 1/

Taking note, in particular, of paragraph 114 of that report, in which it is stated that during the reporting period "unauthorized entry by the Israeli authorities into Agency premises increased" and that "555 intrusions into Agency premises were recorded in the Gaza Strip and 191 in the West Bank" and furthermore "in the month of June 1990 alone, 22 incursions into health centres were registered" and that "on 12 June 1990, Israeli soldiers pursuing stone throwers threw two tear gas grenades into the Rimal health centre in Gaza Town affecting patients including 66 registered infants awaiting treatment",

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

2. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

3. Calls upon Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

18/ A/45/646.